IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3274 of 2007()

CC.22/2005 of C.J.M.PALAKKAD

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PETITIONER/ACCUSED A-3

BABU, S/O VELU, AGED 41 YEARS,
KURIPADATH VEEDU, CHANDRANAGAR, PALAKKAD.

BY ADV. SRI.K.ANAND

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION, PALAKKAD.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3274/2007

DATED: 4-6-2007

O R D E R

Petitioner who is the third accused in C.C.No.22/2005 of C.J.M, Palakkad for offences punishable under Sections 143, 147, 178, 435 and 120B IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.22/2005 on the file of the C.J.M, Palakkad, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs